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### REMARKS

By the preceding amendments, claim 1, upon which the two other remaining claims depend, has been amended to call for the drag harness being "of a type used by a rescuer to drag a wearer lying in a supine position from a perilous situation[.]" Support therefor is found in the specification, as filed, on page 1, in lines 3 and 4. Claim 1 continues to recite that "the drag harness is made from a single length of strapping."

The dog harness of Fong (US 4,969,419) is not of the claimed type. A rescuer would not use a dog harness, except possibly as a makeshift expedient if a dog harness could be so used, to drag a wearer lying in a supine position from a perilous situation.

Moreover, from the drawings of Fong, it is evident that the dog harness would have to be radically and impermissibly reconstructed to make the foreleg loops (23) and the leash (10) from a single length of strapping, as claimed. There is nothing in the record that would have motivated a person having ordinary skill in the art, either explicitly or implicitly, to have used a single length of strapping, as claimed. See M.P.E.P. § 2143.01- I (Rev. 3, August 2005).

The hunter's harness of Schweer (US 6,658,666 B2) is not of the claimed type. Whether or not a rescuer would use a hunter's harness, if a hunter's harness could be so used, to drag a wearer lying in a supine position from a perilous situation, it is evident, from the drawings of Schweer, that the hunter's harness would have to be radically and impermissibly reconstructed to make the arm straps (46) and the safety strap (38) from a single length of strapping, as claimed. There is nothing in the record that would have motivated a person having ordinary skill in the art, either explicitly or implicitly, to have used a single length of strapping, as claimed. See M.P.E.P. § 2143.01- I (Rev. 3, August 2005).

The child's harness of Guynn (US 2004/0112302 A1) is not of the claimed type. A rescuer would not use a child's harness, except possibly as a makeshift expedient if a child's harness could be so used, to drag a wearer lying in a supine position from a perilous situation.

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Moreover, from the drawings of Guynn, it is evident that the child's harness would have to be radically and impermissibly reconstructed to make the shoulder straps (76) and the handle (72) from a single length of strapping, as claimed. There is nothing in the record that would have motivated a person having ordinary skill in the art, either explicitly or implicitly, to have used a single length of strapping, as claimed. See M.P.E.P. § 2143.01- I (Rev. 3, August 2005).

The child's harness of Schoenbrun (US 2,568,304) is not of the claimed type. A rescuer would not use a child's harness, except possibly as a makeshift expedient if a child's harness could be so used, to drag a wearer lying in a supine position from a perilous situation.

Moreover, from the drawings of Schoenbrun, it is evident that the child's harness would have to be radically and impermissibly reconstructed to make the straps (2, A; 3, B) and the leash (10) from a single length of strapping, as claimed.<sup>1</sup> There is nothing in the record that would have motivated a person having ordinary skill in the art, either explicitly or implicitly, to have used a single length of strapping, as claimed. See M.P.E.P. § 2143.01- I (Rev. 3, August 2005).

Apropos of the rejections of claims 2 and 11 over Fong in view of a secondary reference and over Schoenbrun in view of secondary references, nothing in any of the secondary references would remedy the aforementioned deficiencies in Fong or in Schoenbrun or would have motivated a person having ordinary skill in the art to have used a single length of strapping, as claimed.

Hengstenberger *et al.* (US 4,682,671) teaches in column 1, lines 66, 67, and 68, and Hengstenberger *et al.* (US 4,854,418) teaches in column 2, lines 7, 8, and 9, that "[s]till a further aspect of the invention is the provision of a safety harness which is self-tightening and securing upon the wearer."

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<sup>1</sup>In the Office Action noted above, it appears that some of the examiner's comments applying to Guynn and some of the examiner's comments applying to Schoenbrun were interchanged.

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If the safety harness of either reference to Hengstenberger *et al.* were modified, as proposed by the examiner, "to comprise a pair of fixed length arm loops, as taught by Schweer, to encircle both arms of a wearer", the modified harness would not be "self-tightening and securing upon the wearer."

There would have been no motivation for a person having ordinary skill in the art to have modified the safety harness of either reference to Hengstenberger *et al.* in a manner that would render the safety harness unsatisfactory for its intended purpose of being "self-tightening and securing upon the wearer." See M.P.E.P. § 2143.01- V (Rev. 3, August 2005).

It is submitted, therefore, that claim 1, as amended, claim 2, and claims 3 are patentable and should be now allowed.

Respectfully submitted,

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